



Tennessee Department of Environment and Conservation

Division of Water Pollution Control

Mining Section

3711 Middlebrook Pike

Knoxville, Tennessee 37921-6538

PHONE (865) 594-6035 FAX (865) 594-5253

Public Participation Opportunities

June 26, 2008

Public Notice M2008-11

Last Day to Submit Comments: July 29, 2008

The purpose of this notice is to advise the public of the following draft environmental permits and to solicit comments and information necessary to evaluate the potential impact of the proposed activities on human health and the environment.

Individual NPDES Permits

Coal Proposed Reissuances

Applicant	LCC Tennessee, LLC
Facility	Cumberland Mine 2
NPDES Permit Number	TN0071498 (Correction of Public Notice M2008-10 where site appeared as TN0053651)
County	Fentress
Street Address	Stoker Coal Road
City	Jamestown
Zip	38556
Description of Activity	Reclaimed surface coal mine
Receiving Streams	Fern Camp Creek and Lints Cove
Effluent Description	Treated wastewater and storm water
Facility Latitude	36°19'40"
Facility Longitude	84°58'24"
Permit Writer	MRR

Applicant	LCC Tennessee, LLC
Facility	Reclaimed Area 8
NPDES Permit Number	TN0048941
Counties	Scott and Morgan
Street Address	Sandy Gap Mountain
City	Robbins
Zip	37852
Description of Activity	Reclaimed surface coal mine
Receiving Stream	Mill Creek
Effluent Description	Treated wastewater and storm water
Facility Latitude	36°13'15"
Facility Longitude	84°26'05"
Permit Writer	MES

Applicant	Tennessee Valley Authority
Facility	Flatwoods Mine Area
NPDES Permit Number	TN0071749
County	Campbell
Street Address	Ershell Collins Industrial Park
City	Caryville
Zip	37714
Description of Activity	Reclaimed surface coal mine
Receiving Stream	Bruce Creek
Effluent Description	Treated wastewater
Facility Latitude	36°15'00"
Facility Longitude	84°07'30"
Permit Writer	DAT

Coal Proposed Modification/Reissuance

Applicant	National Coal Corporation
Facility	Tipple 2
NPDES Permit Number	TN0054848
County	Campbell
Street Address	Old Highway 63
City	Caryville
Zip	37714
Description of Activity	Tippling of processed coal
Receiving Stream	Cove Creek
Effluent Description	Treated wastewater and storm water
Facility Latitude	36°22'36"
Facility Longitude	84°16'30"
Permit Writer	DAT

Non-Coal Proposed Issuance

Applicant	Cold Mountain Rock and Sand, LLC
Facility	Conard Mine
NPDES Permit Number	TN0069132
County	Cocke
Street Address	Dark Hollow Road
City	Newport
Zip	37822-1109
Description of Activity	Sand and gravel mining and processing
Receiving Stream	Pigeon River near mile 15.3
Effluent Description	Treated wastewater and storm water
Facility Latitude	35°51'31"
Facility Longitude	83°11'26"
Permit Writer	SJT

Non-Coal Proposed Reissuances

Applicant	Franklin Industrial Minerals
Facility	Crab Orchard Plant
NPDES Permit Number	TN0063631
County	Cumberland
Street Address	10586 Highway 70 E
City	Crab Orchard
Zip	37723
Description of Activity	Limestone mining and processing
Receiving Streams	Unnamed Tributaries to karst drainways
Effluent Description	Treated wastewater and storm water
Facility Latitude	35°54'22"
Facility Longitude	84°52'00"
Permit Writer	KBG

Applicant	Unimin Corporation
Facility	B-2 Mine and Reservoir/ Classifier Area
NPDES Permit Number	TN0066532
Counties	Benton and Carroll
Street Address	1700 Sand Mill Road
City	Camden
Zip	38320
Description of Activity	Industrial sand mining and processing
Receiving Streams	001- Unnamed Tributary (UNT) to Abbott Branch; 002- UNT Pond Branch; 003- UNT Cotton Creek; 004- UNT Big Sandy River/ Hunting Creek/ Green Creek/ Cotton Creek
Effluent Description	Treated wastewater and storm water
Facility Latitude	35°58'11"
Facility Longitude	88°13'18"
Permit Writer	SJT

Non-Coal Proposed Modification/Reissuance

Applicant	Rogers Group, Inc.
Facility	Cross Plains Quarry
NPDES Permit Number	TN0072028
County	Robertson
Street Address	4450 South Rockhouse Road
City	Cross Plains
Zip	37049
Description of Activity	Limestone quarry and processing plant
Receiving Stream	Unnamed Tributary to South Fork of Red River
Effluent Description	Treated wastewater and storm water
Facility Latitude	36°32'21"
Facility Longitude	86°38'35"
Permit Writer	KBG

Non-Coal Proposed Termination

Applicant	Hi-View Mining, LLC
Facility	Claiborne County Quarry 1
NPDES Permit Number	TN0079201
County	Claiborne
Street Address	Highway 25 E
City	Tazewell
Zip	37824
Description of Activity	Site never developed for quarry activity
Receiving Stream	Unnamed Tributary of Russell Creek
Effluent Description	Treated wastewater and storm water
Facility Latitude	36°26'28"
Facility Longitude	83°33'43"
Permit Writer	JPJ

TDEC is requesting public comment on these permit actions. Obtaining a broad range of facts and opinions on Agency actions is one of the best ways to ensure quality decisions. Persons wishing to comment on these proposed actions are invited to submit comments in writing to the Mining Section at the above letterhead address, Attn: Public Notice Coordinator, by fax (865) 594-5253 or by e-mail at Gary.Mullins@state.tn.us. Comments must be received by the end of comment period date (see page 1).

How to Request a Public Hearing:

Interested persons may request in writing that the Director of the Division of Water Pollution Control hold a public hearing on any application. The request must be filed within the comment period and must indicate the interest of the party filing it and the reasons why such a hearing is warranted. When there is significant public interest for a hearing, a hearing will be conducted according to *Rule 1200-4-5-.06 (12)* of the Division of Water Pollution Control. Public hearings will be announced through another public notice.

How the Department Will Proceed:

The Director of the Division of Water Pollution Control will determine the final permit action after considering comments submitted during the comment period, the hearing record, if any, and the requirements of the Federal and State acts and regulations.

To Obtain Permit Details:

Draft permits contain Antidegradation Determinations and Rationales that address information concerning the foundation for the Division's determinations. Copies of the application(s), draft permit(s), and supporting documentation are in the permit files maintained at the Mining Section's office located at the letterhead address. There is a nominal fee for copying. These files are available for public inspection during normal visiting hours. Please email Tina.E.Jones@state.tn.us or call (865) 594-5616 to schedule an appointment for the review(s).

List of Permit Writers

KBG	Kristen Gettelfinger	865-594-5545	Kristen.Gettelfinger@state.tn.us
JPJ	Jesse Jones	865-594-5543	Jesse.P.Jones@state.tn.us
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MRR	Micheal Robbins	865-594-5542	Michael.Robbins@state.tn.us
MES	Michael Swanger	865-594-5585	Michael.Swanger@state.tn.us
SJT	Steven Turaski	865-594-5584	Steven.Turaski@state.tn.us
DAT	Dave Turner	865-594-5541	Dave.Turner@state.tn.us

State of Tennessee Antidegradation Policy

Tennessee's Antidegradation Statement is in Chapter 1200-4-3-.06 of the *Rules of the Tennessee Department of Environment and Conservation*. The primary purpose of the Antidegradation Policy is to establish a greater level of protection for high quality waters. Some high quality waters are in near-pristine condition. Others are determined to be high quality due to specialized uses and/or unique features.

Generally, there are two types of high quality waters. Outstanding National Resource Waters (ONRWs) receive the greatest level of protection. The Water Quality Control Board designates these waters. New discharges or expansion of existing discharges cannot degrade existing water quality.

The Department identifies other high quality waters known as Exceptional Tennessee Waters and protects against their degradation. The Department may allow some degradation if the Department deems it economically and socially necessary.

Non Exceptional Tennessee Waters refer to surface waters that do not have the identification and/or designation as high quality. These waters must achieve and maintain Tennessee's Water Quality Standards.

State of Tennessee Policy of Non-Discrimination

Pursuant to the State of Tennessee's policy of non-discrimination, the Tennessee Department of Environment and Conservation does not discriminate on the basis of race, sex, religion, color, national or ethnic origin, age, disability, or military service in its policies, or in the admission or access to, or treatment or employment in its programs, services or activities. Equal Employment Opportunity/Affirmative Action inquiries or complaints should be directed to the EEO/AA Coordinator, Office of General Counsel, 401 Church Street, 20th Floor, L & C Tower, Nashville, TN 37243, 1-888-867-7455. Americans with Disabilities Act (ADA) inquiries or complaints should be directed to the ADA Coordinator, Human Resources Division, 401 Church Street, 12th Floor, L & C Tower, Nashville, TN 37243, 1-866-253-5827. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).